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DEPARTMENT OF ENERGY
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

July 12, 2022

His Excellency, Governor Christopher T. Sununu,
And the Honorable Council
New Hampshire State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the New Hampshire Department of Energy (NHDOE) to enter into a Memorandum of Agreement (MOA) with the New Hampshire Department of Administrative Services (DAS), Vendor #177875, Concord, NH, in an amount not to exceed \$57,000 to support energy consumption reduction and costs in state buildings, effective upon approval by Governor & Executive Council, through June 30, 2023. 100% Federal Funds.

Funding for FY2023 is contingent upon continuing appropriation and availability of funds.

<u>Department of Energy, State Energy Programs</u>	<u>FY 2023</u>
02-52-52-520010-33520000	\$57,000
85-588514 Interagency Xfr Out of Federal Funds	
TOTAL	\$57,000

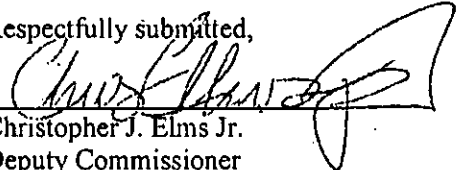
EXPLANATION

The intent of this Agreement is to provide support for projects and initiatives to reduce energy consumption and costs in New Hampshire's State buildings by supporting the Department of Administrative Services' State Energy Manager's office.

NHDOE requests an MOA in an amount not to exceed \$57,000.00 to support: DAS's objective to promote the reduction of energy use, responsible energy behavior, and energy efficiency strategies in state facilities to state employees through education and outreach programs; making building improvements; energy efficiency projects; the Annual State Energy Conference; and other initiatives approved by NHDOE.

These projects will be administered by DAS. In the event Federal Funds are no longer available, General Funds will not be requested to support this program.

Respectfully submitted,


Christopher J. Elms Jr.
Deputy Commissioner
New Hampshire Department of Energy

**MEMORANDUM OF AGREEMENT
BETWEEN
DEPARTMENT OF ENERGY
AND
DEPARTMENT OF ADMINISTRATIVE SERVICES**

This MOA describes activities that have been agreed to between the New Hampshire Department of Energy (DOE) and Department of Administrative Services (DAS) to utilize funding provided by DOE to reduce energy consumption and costs in state buildings. This agreement will become effective upon approval by Governor and Council with a project completion date of June 30, 2023.

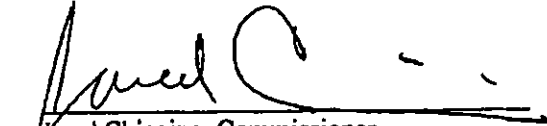
For the purposes of this Agreement, DOE and DAS agree as follows:

1. Funding shall not exceed \$57,000.00 over the next fiscal year.
2. The agencies shall assign appropriate staff to oversee the implementation of this Agreement.
3. Up to \$57,000.00 for FY23 of funds provided annually may be used to reduce energy consumption and costs in state buildings, and for energy education & outreach. Activities supporting this initiative may include:
 - a. Contracting with a firm that provides building automation services and support;
 - b. Purchasing of materials and/or equipment related to building automation;
 - c. Contracting with a firm that provides a building analytics software;
 - d. Contracting with a firm to perform a controls study for buildings;
 - e. Contracting with a firm that provides commissioning or technical assistance for energy savings performance contracts; (this should be on a one-time funding basis)
 - f. Sub-metering of energy or water consumption at the building level or within buildings to provide more detailed usage and cost data;
 - g. Conducting studies of state facilities to identify areas of excess energy or water use and develop strategies for reduction;
 - h. Purchasing products or services that aid in the fossil fuel reduction goals as part of Executive Order 2016-3, provided they meet a return on investment of 20 years or less;
 - i. Purchasing products, infrastructure or services that aid in the greenhouse gas emissions reduction goal for state passenger vehicle fleet as part of Executive Order 2016-3;
 - j. In-state travel for the purposes of educating state employees in the areas of responsible energy behavior and energy efficiency strategies; and to encourage participation in energy saving events and initiatives;
 - k. Conferences, memberships and educational software fees for the purposes of educating state employees in the areas of responsible energy behavior and energy efficiency strategies; and to encourage participation in energy saving events and initiatives;

- l. Hosting energy-related training sessions for state employees or providing scholarships for state employees to attend energy training;
 - m. Materials necessary for conducting educational sessions or to support the administration of the Annual State Energy conference, including rental costs associated with a venue and refreshments for conference participants; and
 - n. Any other related expense approved by DOE.
4. DAS shall submit a detailed Program Plan for approval by DOE within 30 days of G&C approval of this agreement. The Program Plan may include:
 - a. Definition of goals, milestones, deliverables, and outcomes for conducting building improvement and building controls strategies;
 - b. Definition of goals, milestones, deliverables, and outcomes for conducting the Annual State Energy Conference;
 - c. Definition of goals, milestones, deliverable, and outcomes for conducting utility tracking and benchmarking strategies;
 - d. Definition of goals, milestones, deliverables, and outcomes for developing an education and outreach plan for state employees;
 - e. Definition of goals, milestones, deliverables, and outcomes for completing energy efficiency projects in state buildings; and
 - f. Other appropriate opportunities to utilize the US DOE funding that DAS wishes to propose.
5. DOE shall respond to the proposed Program Plan within 15 days of receipt and either approve the plan or recommend changes. Subsequent submittals and approvals shall be subject to the same 15-day time period.
6. DAS shall administer the program(s).
7. DAS shall submit quarterly reports to DOE that include the following, if applicable:
 - a. Notification of any building automation contracts (# of contracts and names of firms);
 - b. Notification of any commissioning agent contracts (# of contracts and names of firms);
 - c. A list of buildings monitored through building improvement and building control initiatives (# of buildings);
 - d. A final agenda and any supporting documentation for the Annual State Energy Conference;
 - e. Attendance list for the Annual State Energy Conference (# of attendees);
 - f. A list of any sub-meters installed for energy or water (# of meters);
 - g. A list of any energy-related studies performed on buildings (# of studies);
 - h. A list of buildings receiving automated utility data either through the utilities or through building metering (# of accounts).
 - i. Quarterly reporting of program expenses.
8. DAS will resubmit their Program Plan annually to DOE at the beginning of each fiscal year for reevaluation.

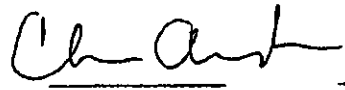
9. **PROJECT COST:** DAS shall not exceed \$57,000.00 for FY23. Prior to invoicing and reimbursement, DAS shall submit to DOE their UEI number and proof of registration in the Federal System for Award Management (SAM). FY23 funding is available for DAS use, through a system of invoicing and reimbursement, until June 30, 2023.
10. **INVOICING:** DAS will submit detailed invoices and related backup documentation within 15 days following the close of each fiscal quarter. Invoicing for fourth quarter of any fiscal year will be done as soon as feasible to ensure compliance with year-end deadlines. Final invoicing is due to DOE by July 20, 2023.
11. **TERMINATION:** Either party may terminate this agreement upon providing written notice to the other thirty (30) days prior to termination. Upon termination, DAS will be paid for all qualifying work completed prior to termination.
12. **DURATION:** The project duration extends from the date of this agreement's approval by Governor and Council through June 30, 2023 for program activities, invoicing and program year closeout, unless terminated by either party, or extended in writing by subsequent agreement of the parties and acceptance by Governor and Council.

IN WITNESS WHEREOF, the respective parties have hereunto set their hands on the dates indicated.



Jared Chicoine, Commissioner
NH Department of Energy

6/22/2022
Date



Charles M. Arlinghaus, Commissioner
NH Department of Administrative Services

6/24/22
Date

OFFICE OF THE ATTORNEY GENERAL
Approved as to form, substance, and execution

By: 

Assistant Attorney General

Date: June 24, 2022

I hereby certify that the foregoing agreement was approved by the Governor and Council of the State of New Hampshire at their meeting on _____, _____.

OFFICE OF THE SECRETARY OF STATE

By: _____

Title: _____